



University of California

Lawrence Livermore National Laboratory

Procurement & Materiel

May 20, 2002

Subject: **Request For Proposal Number B525176**
Proposal Due May 28, 2002

Dear RFP Recipient:

The Regents of the University of California (hereinafter called "University") request a proposal for a Multiprogrammatic and Institutional Computing Capability Resource (MCR) in accordance with this Request For Proposal (RFP) and the enclosed sample Subcontract. Please provide two paper and one electronic copies of your proposal. Proposals shall be valid for at least 60 days after the due date.

Acceptance of late proposals will be at the sole discretion of the University. Facsimile proposals are not acceptable. The University reserves the right to reject any and all proposals, to waive any minor irregularities in any proposal, or to cancel this RFP at any time prior to award without cost to the University. This RFP does not include provisions for the direct reimbursement of proposal preparation costs.

The University Procurement Representative is Brandt Esser and may be reached by telephone at (925) 423-1518, by fax at (925) 423-8019 or by e-mail at esser3@llnl.gov.

The University manages the Lawrence Livermore National Laboratory and conducts Laboratory business under Laboratory Procurement Policies and Procedures consistent with the Prime Contract between the University and the United States Government, represented by the Department of Energy (hereinafter called "DOE").

NAICS CODE AND SIZE STANDARD

The North American Industry Classification System (NAICS) Code for this acquisition is 334111. The corresponding small business size standard for this acquisition is 1,000 employees or less. However, the small business size standard for a concern which submits an offer in its own name, other than for construction or services, but which proposes to furnish a product which it did not itself manufacture, is 500 employees or less.

The Offeror shall base its Small Business Program Representations in the attached Representations and Certifications form on this small business size standard. Refer to Subpart 19.1 - Size Standards, of the Federal Acquisition Regulation (FAR) for information on calculating your number of employees.

PROPOSAL CONTENTS

DUNS Number

The Offeror shall provide its D-U-N-S number as part of the proposal.

Minimum Requirements

The minimum requirements for this request are addressed in the Statement of Work and are identified with an (MR) designation. An Offeror shall address all minimum requirements and its proposal shall demonstrate how it meets or exceeds each one.

Performance Features, Supplier Attributes and Affordability

The Offeror's proposal should identify and discuss the performance features and supplier attributes that will be important to the Offeror's successful performance and the attainment of the University's objectives. The University has identified the performance features and supplier attributes listed in the attached Proposal Evaluation and Proposal Preparation Instructions, which should be discussed in the proposal. The Offeror may identify and discuss other performance features and supplier attributes it believes may be of value to the University. If the University agrees, consideration may be given to them in the evaluation process. In all cases, the University will assess the value of each proposal as submitted. Affordability is the University's assessment of the price relative to the perceived value offered in the proposal.

Price and Schedule

The proposal shall include a total firm fixed price for the work and a delivery schedule. A proposal that offers a credible early delivery schedule will be more highly valued than others. It is anticipated that the University Furnished Government Property identified in the Sample Subcontract will be provided to the successful Offeror by June 17, 2002. Assembly of the MCR should start no later than June 17, 2002. The University desires complete delivery by July 15, 2002. The University requires acceptance of a minimum of 40% of the nodes by September 30, 2002. Final acceptance of the complete system is required by December 30, 2002.

Open Source Software

In the sample Subcontract enclosed with this RFP, the University has included DOE-approved provisions for open source software that may be delivered under the proposed Subcontract. These provisions include the Berkeley Software Development (BSD) open source software license, general information about open source software, and changes to the FAR and DEAR intellectual property clauses incorporated by reference in the GENERAL PROVISIONS. The University acknowledges that there are other pro forma open source software licenses in existence and use. However, please note that DOE and the University prefer the use of the BSD license. Offerors may propose the use of another open source software license but should be aware that significant deviations from the provisions included in the sample Subcontract may cause the Offeror's proposal to be viewed as less valuable than other proposals that accept these provisions. Significant deviations from these provisions may also cause the University and DOE to reconsider the pre-approved changes to the aforementioned FAR and DEAR intellectual property clauses.

NOTICE TO OFFERORS

Lease-To-Ownership Financing

The University intends to acquire the required items (not including maintenance) under a lease to ownership (LTO) arrangement. Any Subcontract resulting from this solicitation will be placed contingent upon execution of the required financing. This financing may be provided by the

successful Offeror to this solicitation or under one of several master agreements which the University maintains with third-party sources.

Quotation for Offeror Financing

The planned LTO will provide for amortization of the equipment (not including maintenance) cost over a 24 month term. Offerors who are interested in providing the financing under the provisions of the attached sample Lease to Ownership Agreement are invited to quote a fixed interest rate for the financing and/or a rate adder which will be used to establish a fixed rate by adding the rate to the treasury constant maturity rate of an equivalent term, as listed in the "Federal Reserve H.15 Report" for the date of equipment acceptance. If you intend to provide financing, please sign the attached Request for Rate Information and return it with your proposal with an amortization schedule.

NOTE: Proposed financing will not be a criterion for selection of a successful Offeror under this solicitation.

Payment

Under Seller Financing. If the successful Offeror is also selected to provide financing, payment shall begin in accordance with the amortization schedule after delivery and acceptance of all items required under the Subcontract, unless otherwise provided under the terms of the Subcontract.

Under Third-Party Financing. Payment for the equipment shall be tendered by the third-party in accordance with the resulting Subcontract. Payment for equipment will not be authorized by the University until all items are delivered and accepted, unless otherwise provided under the terms of the Subcontract.

Title

Title to the equipment purchased under the Subcontract shall pass directly to the University's Lessor, and thereafter to the U.S. Government under the provisions of the Sample Lease to Ownership Agreement. Offeror shall provide a bill of sale upon payment for the equipment to evidence passage of title.

EVALUATION AND SELECTION

Evaluation Factors

The University will evaluate the proposal for minimum requirements, performance features, supplier attributes, and price.

Basis for Selection

The University intends to select the Offeror whose proposal satisfies the minimum requirements and contains the combination of price, performance features and supplier attributes offering the best overall value to the University. The University will determine the best overall value by comparing differences in performance features and supplier attributes offered with differences in price, striking the most advantageous balance between expected performance and the overall price to the University. Offerors must, therefore, be persuasive in describing the value of their proposed performance features and supplier attributes in enhancing the likelihood of successful performance or otherwise best achieving the University's objectives. The University may select the Offeror

whose proposal is considered to offer the best overall value compared to proposals with either higher or lower prices. The University's selection may be made on the basis of the initial proposals or the University may elect to negotiate with any or all Offerors and to award a subcontract based on all or part of an Offeror's proposal.

PROPOSAL INSTRUCTIONS

Offerors' Questions

The University will respond to questions submitted in writing to the University Procurement Representative on or before May 24, 2002. Questions submitted after this date may not be answered. Questions may be submitted by letter, facsimile or e-mail. Answers to questions that are germane to the interpretation of the University's requirements will be issued to all Offerors in writing.

Deadline for Submitting Proposals

Proposals are due to the University Procurement Representative on Tuesday, May 28, 2002, not later than 4:00, Pacific Time. Acceptance of late proposals will be at the sole discretion of the University.

Submission of a proposal shall indicate the Offeror's willingness to accept the terms and conditions of the sample Subcontract and its attachments unless specific exceptions are taken. These terms and conditions have been approved by the DOE. Changing them may be time consuming. Failure to accept the terms and conditions may result in significant, unacceptable delays in award of a Subcontract which could cause the University to reject your proposal.

The Offeror shall deliver the proposal to one of the following addresses:

Address for Commercial Courier

(Not For Hand Delivery)

University of California
Lawrence Livermore National Laboratory
Attention: Brandt Esser
Mail Code L-550
RFP: B525176
7000 East Avenue
Livermore, CA 94550

Address for Mailing

University of California
Lawrence Livermore National Laboratory
Attention: Brandt Esser
Mail Code L-550
RFP: B525176
P.O. Box 5012
Livermore, CA 94551

Proprietary Data

The University expects to receive proprietary data. If proprietary data is included in a proposal, it must be marked "Proprietary." The University will exercise its best effort to avoid disclosure of proprietary data.

OTHER PROPOSAL REQUIREMENTS

Integrated Safety Management (ISM) Requirement

ISM is a systematic approach to integrating safety into work planning and execution. In the ISM context, the term safety is synonymous with the University term "environment, safety, and health" (ES&H). It encompasses protection of employees, the public, and the environment.

All Subcontractor personnel working on-site may be required to satisfactorily complete safety training specific to the facility in which the work will be performed. The Subcontract Statement of Work, a separate list of required ISM training, or similar contractual document will specify the required training courses and course hours. Subcontractor costs for ISM training are reimbursable under the Subcontract to the extent that the costs are identified in the Subcontractor's proposal and incorporated into the resulting Subcontract by the University.

For the resulting Subcontract, the Subcontractor may not commence any work performed on a University or Government premise (herein referred to as work on-site) until a fully executed Subcontract has been awarded.

ENCLOSURES

The following enclosures are provided and need not be returned with the proposal:

- Proposal Evaluation and Proposal Preparation Instructions
- Statement of Work for the Multiprogrammatic and Institutional Computing Capability Resource (MCR)
- Sample Subcontract
- Model Small Business Subcontracting Plan
- Sample Lease to Ownership Agreement
- Appendix B

The following enclosure is provided for information. Only the successful Offeror will be required to execute and return this document:

- Workplace Substance Abuse Program Plan Certification

The Offeror shall complete the following enclosures and submit them with the proposal:

- Representations and Certifications
- Appendix A Price Schedules
- Request for Rate Information (If the Offeror is proposing to provide LTO financing.)

Sincerely,

Brandt Esser
Sr. Contract Administrator

Enclosures: As Noted